

District Judge Jamal N. Whitehead

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ARTURO SEPULVEDA AYALA,  
  
Plaintiff,  
  
v.  
  
KRISTI NOEM, *et al.*,  
  
Defendants.

Case No. 3:25-cv-05185-JNW  
  
STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND  
ORDER

Noted for Consideration:  
August 26, 2025

For good cause, Plaintiffs and Federal Defendants,<sup>1</sup> by and through their counsel of record, pursuant to Federal Rule of Civil Procedure 6 and Local Rules 7(d)(1), 10(g) and 16, hereby jointly stipulate and move to stay these proceedings through October 26, 2025. Plaintiff brought this litigation pursuant to the Administrative Procedure Act and the Mandamus Act seeking, *inter alia*, to compel U.S. Citizenship and Immigration Services (“USCIS”) to issue a wait-list determination on his Form I-918, Petition for U Nonimmigrant Status, and to adjudicate his Form I-192, Application for Advance Permission to Enter as a Nonimmigrant. This Court has issued an initial scheduling order. Dkt. No. 26. The parties are currently working towards a resolution to this litigation.

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<sup>1</sup> Undersigned counsel does not represent Defendant Bruce Scott.

1 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706  
2 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to  
3 control the disposition of the causes on its docket with economy of time and effort for itself, for  
4 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.  
5 P. 1.

6 With additional time, this case may be resolved without the need of further judicial  
7 intervention. After a review of the current administrative record, USCIS determined that it needs  
8 additional evidence prior to adjudicating Plaintiff’s Form I-918 or Form I-192. USCIS issued  
9 requests for evidence (“RFEs”) and Plaintiff has until October 26, 2025, to respond to the RFEs.  
10 USCIS cannot complete the adjudication until Plaintiff’s RFE responses are received and USCIS  
11 reviews the responses. Thus, the parties believe that an extension is warranted in this instance.

12 Pursuant to this Court’s Order Granting Writ of Habeas Corpus in Plaintiff’s companion  
13 habeas litigation, Plaintiff has been released from immigration detention. *Sepulveda Ayala v.*  
14 *Bondi*, 2:25-cv-1063-JNW, Dkt. Nos. 23, 24. In the Order, the Court found that the deferred  
15 action that Plaintiff was granted pursuant to USCIS’s bona fide determination prevents his  
16 removal. Order, at 6-9. While USCIS has issued a Notice of Intent to Revoke (“NOIR”)  
17 Plaintiff’s employment authorization and terminate his deferred action, USCIS intends to wait  
18 until Plaintiff’s RFE responses for his Form I-918 and Form I-192 are evaluated before taking  
19 further action concerning the NOIR. Accordingly, the parties have agreed to stay this litigation  
20 until Plaintiff’s deadline for the RFE responses as Plaintiff’s deferred action remains in place  
21 until USCIS takes further action.

22 Accordingly, the parties request that the Court hold the case in abeyance until October  
23 26, 2025. The parties will submit a joint status report on or before October 26, 2025. The  
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parties further request that the Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement be vacated. Dkt. No. 26.

DATED this 26th day of August, 2025.

Respectfully submitted,

TEAL LUTHY MILLER  
Acting United States Attorney

GIBBS HOUSTON PAUW

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*Attorneys for Plaintiff*

*Attorneys for Federal Defendants*

*I certify that this memorandum contains 459 words, in compliance with the Local Civil Rules.*

**ORDER**

The case is held in abeyance until October 26, 2025. The parties shall submit a status update on or before October 26, 2025. The Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement (Dkt. No. 26) is vacated.

It is so **ORDERED**.

DATED this 27th day of August, 2025.

  
JAMAL N. WHITEHEAD  
United States District Judge